

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

EFRAIN AREIZAGA,

Plaintiff,

v.

ADW CORPORATION,

Defendant.

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Civil Action No. 3:14-cv-2899

DECLARATION OF DANIELLE ALEXIS MATTHEWS

1. I am an attorney at law admitted to practice before all courts, both state and federal, within the state of Texas and am an attorney with the law firm of Norton Rose Fulbright US LLP, 2200 Ross Avenue, Suite 3600, Dallas, Texas 75201 ("Fulbright"). I am over 21 years of age and have personal knowledge of the facts set forth below. If called as a witness, I could and would competently testify to all matters set forth herein.

2. I have been licensed to practice law in the State of Texas since November of 2000 and have been with Fulbright since September of the same year. I am Board certified by the Texas State Board of Legal Specialization in Labor and Employment Law. I am familiar with the work, tasks, and effort necessary for handling a litigation matter such as this one. I am familiar with the customary charges for attorney services in commercial litigation in the Dallas County area. I am also familiar with customary charges for new attorneys, legal assistants, briefing clerks, and expenses attendant to litigation proceedings such as the captioned case.

3. Since I began practicing law, I have been primarily engaged in litigation matters. I have experience and knowledge in the area of federal court discovery and the legal and factual issues relating to it because of the nature of my practice.

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4. I have been responsible for handling this case since its inception. The following attorneys have also provided their services on this matter: John R. Herring, Jordan C. Campbell, and Barrett T. Robin. The attorneys on this matter billed at the following hourly rates:

- Danielle M. Matthews, Senior Counsel, \$625 in 2015; \$655 in 2016
- John R. Herring, Senior Associate, \$510 in 2015; \$555 in 2016
- Jordan C. Campbell, Associate, \$345 in 2015; \$430 in 2016
- Barrett T. Robin, Associate, \$310 in 2015 and 2016.


5. The work incurred in connection with preparation and filing of the Motion to Compel, responding to both of Plaintiff's Motions for Protective Order; and addressing numerous other related, dilatory filings by Plaintiff consisted of 5.25 hours for Danielle A. Matthews at rates of \$625 and \$655 an hour (\$3408.75), 17.50 hours by John R. Herring at \$510 and \$555 an hour (\$9,678.75), 11.50 hours by Jordan C. Campbell at \$345 and \$430 an hour (\$4,477.50), and 15.75 hours by Barrett T. Robin at \$310 an hour (\$4,882.50).

6. Fulbright worked on behalf of ADW Corporation ("ADW"), the defendant in the above styled litigation. Attached hereto are true and correct copies of the invoices issued by Fulbright in this matter, which contain itemized lists of activities undertaken by myself and others at Fulbright on behalf of ADW with respect to its defenses against Plaintiff Efrain Areizaga's ("Areizaga") claims against ADW. Portions of the descriptions of the services rendered have been redacted pursuant to the attorney-client privilege and the attorney work product doctrine. Certain tasks have been redacted entirely because they are not properly apportioned to Areizaga pursuant to the Court's Order on Fed. R. Civ. P. 26(C)(3) and 37(A)(5) Award of Expenses [ECF No. 92]. The invoices contain the hourly rates for the attorneys performing each activity, reflecting a total of \$22,447.50 in attorney's fees incurred as of the date of this declaration, a reasonable fee for the services listed on the attachment, which were performed as a result of Areizaga's refusal to participate in discovery, his filing of two protective

orders as well as numerous other filings, and ADW's need to respond with its Motion to Compel and other responsive filings. Fulbright charged ADW its standard hourly rate for each of the attorneys who worked on the matter and used attorneys with a range of legal experience, employing the proper level of experience for the particular work performed. Fulbright attorneys billed a total of 50 hours representing ADW for this work, reflecting an average attorney rate of \$445.28 per hour.

7. Each member of ADW's legal team performed the tasks commensurate with his or her skill set and level of experience, and the hours each person expended were necessary and non-duplicative. The hourly rates charged for each member of ADW's legal team are similarly reasonable and reflect each person's level of experience. In my opinion, all of the hours spent by myself, Mr. Herring, Mr. Campbell, and Mr. Robin on the Motion to Compel, responding to Motions for Protective Order, and addressing numerous other related, dilatory filings were reasonable and necessary. In my opinion, the rates charged by the attorneys in this matter constitute normal, customary, and reasonable charges for the services rendered.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 24, 2016.


Danielle A. Matthews